

SECRET

16 July 1980

MEMORANDUM FOR THE RECORD

Staff Meeting Minutes of 16 July 1980

Mr. Carlucci chaired the meeting. []

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Mr. Carlucci called attention to [] and Clarke in particular that current State Department policy re Jamaica is out of phase with reality, e.g., continued support of Prime Minister Manley with a "business as usual" attitude at our Embassy. He said the situation should be addressed immediately by the White House and suggested we push for a PRC(I) meeting soon; he asked Clarke and [] to consult with NIO/LA [] and [] C/LA/DDO, respectively. [] said reporting also indicates that the Jamaica resistance movement is ready to go to war if Manley wins election. []

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Mr. Carlucci noted to Hitz that []

He said [] he may accompany Mr. Carlucci in his briefing to the SSCI. In this regard Mr. Carlucci advised Hitz that he prefers to provide the Committee with a chronology statement on the Jamaica incident. Hitz said he has not been able to gain much help from Hill staffers re our effort to provide a similar briefing to the HPSCI; he said they are claiming an overloaded schedule, e.g., budget actions. Mr. Carlucci suggested alternatively that Hitz seek an appointment for Mr. Carlucci, et al., to meet with Chairman Boland and Representative Robinson. []

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Fitzwater reported the Agency received [] applications for employment during the past year, including [] resumes. He said [] interviews were conducted against [] occupational areas within the Agency. He noted also that the rate of attrition this summer will depend somewhat on a pending Congressional decision re elimination of the September cost of living increase for retirees. A brief discussion followed wherein Fitzwater and Wortman indicated elimination of the September increase for 1980 is more than likely.

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Hetu said David Martin, Newsweek, phoned yesterday to query him concerning a paragraph in a Senate Bill (S. 2597) which provides the Director with authority to grant monetary relief to any Agency employee who in the Director's judgment has suffered unjustly as a result of negative career development. []

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Mr. Carlucci informed Hetu that he has written again to CBS President Thomas Wyman contesting Wyman's 8 July response to Mr. Carlucci's 17 June letter of complaint re CBS airing of "Return of the CIA." []

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Clarke reported OCO has arranged for early morning delivery of the PDB to Secretary Muskie at his home--to be read by the Secretary on the way to his office. He said this adds extra duty to a busy OCO, but the arrangement appears to be satisfactory. []

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Mr. Carlucci asked if the Republican Party platform contains any position on intelligence; Hitz and others responded that they have not yet seen any copies. Mr. Carlucci asked [] to acquire same. Evans, noting that his wife is a delegate on the Platform Committee, said the platform position paper was not well conceived and included calls to reinstitute the PFIAB, develop better capabilities for intelligence analysis, improve intelligence capabilities for predicting hot spots around the world, and an influx of new talent into the intelligence community. []

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Silver said Agee responded to yesterday's deadline re the Agency's counterclaim to Agee's FOIA request. He said Agee submitted a hefty package of materials including a countercharge to the Government claiming Agency persecution of Agee since 1971, e.g., that the Agency had supplied Agee with a typewriter that was bugged. Silver noted the response also argues discriminatory treatment of Agee compared, for example, to other former employees who have produced books, articles, etc. Silver said he will move to quash the charges involved in a so-called "unclean hands" doctrine which he says is not applicable in this case. []

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Silver reported he has received a draft of guidelines from the Attorney General's office governing DOJ policy for enforcing the Agency's secrecy agreement. He said the Attorney General apparently feels it is politically expedient to release the guidelines and has forwarded same for our review and comment. []

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Silver was pleased to report that a court panel of three judges has found in favor of the Agency re an FOIA suit filed by Morton Halperin. []

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Wortman called Mr. Carlucci's attention to an item in today's Washington Post (attached) re refusal by H. Sillas, U.S. attorney for Sacramento, Calif., to submit to a White House request that he undergo a polygraph to be administered by a CIA expert. Sillas is under investigation for allegedly accepting a bribe. []

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[] said NFIB review of the 1982-86 Program is scheduled for 22 July; he noted the follow-up PRC(I) review is being rescheduled for 28 July. []

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Heymann, noting earlier reference to the Republican Party platform, said he is circulating the transcript of a meeting held under the auspices of the American Bar Association some months ago which gave focus on economic intelligence. He said participants included Bill Casey and Richard Allen, advisers to Gov. Reagan, and that their statements at the meeting reflected ambivalence and agnosticism re economic intelligence.

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Attachment

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ARTICLE APPEARED
ON PAGE A-2.WASHINGTON POST
16 July 1980

Hispanic U.S. Attorney Refuses Polygraph Test

By Charles R. Babcock
Washington Post Staff Writer

A leading Hispanic appointee in the Carter administration, under investigation for allegedly having taken a bribe six years ago, held an extraordinary news conference yesterday and all but dared the president to fire him.

Herman Sillas Jr., the U.S. attorney for Sacramento and the administration's choice last fall to become head of the Immigration and Naturalization Service, told reporters at the National Press Club that he was refusing a White House ultimatum to take a lie detector test administered by a CIA expert to clear up the bribe controversy.

The Washington Post reported in January that the Justice Department recommended Sillas be fired after he flunked two lie detector tests about a charge that he took a \$7,500 bribe from a California car dealer in 1974 just before he became the state's director of motor vehicles.

Several Hispanic groups rallied to Sillas' side and made it clear his dismissal could have political repercussions for President Carter in the important Hispanic voting bloc. The six-month delay in the White House decision on the firing recommendation led some Justice officials to think the administration was looking for a way to keep Sillas in his job to avoid offending the Hispanic community.

White House counsel Lloyd N. Cutler denied that, and at his press conference yesterday Sillas said the delay was to allow his attorney to conduct his own inquiry.

Several representatives of Hispanic groups were at the press conference,

and Vilma Martinez, head of the Mexican American Legal Defense and Educational Fund, issued a statement saying that Sillas had demonstrated his innocence by fully disclosing the facts.

In his meeting with reporters, which he cleared neither with the White House nor Justice Department superiors, Sillas released a detailed chronology of events in his case, including meetings with Attorney General Benjamin R. Civiletti and Cutler, and copies of correspondence with Cutler.

Cutler said in a brief phone interview yesterday that he could not comment on the unusual public airing of the matter because he still had to make a recommendation to the president.

In his last letter to Sillas' attorney, dated July 3, Cutler said he wanted the prosecutor to submit to another lie detector test by a government examiner. If he didn't agree, "we will reach our decision in this matter in the light of Mr. Sillas' refusal to take such a further examination," he said.

A statement issued by the White House press office yesterday said Cutler's primary concerns in his review have been to "protect the integrity and public reputation of the office of the U.S. attorney while at the same time affording Mr. Sillas and his legal counsel of a fair opportunity to present his side of the matter."

In a June 12 letter to Sillas' attorney, Warren L. Ettinger, of Los Angeles, Cutler expressed consternation that Sillas had taken a lie detector test administered by his own hired expert without telling the government.

In the press conference yesterday, Sillas released papers saying he passed his own private test with "flying colors" and criticizing the proce-

dures used by the FBI polygraph expert who administered the two tests he failed.

He thus was criticizing the lie detector test that is an important investigative tool of the department for which he works.

The use of the polygraph is becoming an increasingly controversial issue because of its use against Justice employees in another internal investigation of leaks about the FBI's undercover Abscam investigation. Federal courts have refused to allow the introduction of the polygraph test results in criminal trials because of its unreliability.

Sillas said yesterday that he was going public with his version of the case now because of the leaks. He said he merely wanted some say on who administered a fourth test. "What he or she finds could well have an impact on the rest of my life," he said.